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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,525	12/05/2003	Rajeev Jain	ORCL-001/OID-2003-140-01	7323
51121 7590 12/26/2008 LAW FIRM OF NAREN THAPPETA C/o Landon-IP Inc., 1700 Diagonal Road, Suite 450 Alexandria, VA 22314				
EXAMINER				
REFAI, RAMSEY				
ART UNIT		PAPER NUMBER		
3627				
NOTIFICATION DATE		DELIVERY MODE		
12/26/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lfnt2000@yahoo.com
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Office Action Summary

Application No.

10/727,525

Applicant(s)

JAIN ET AL.

Examiner

Ramsey Refai

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-80 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 12/5/03
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Responsive to 'Response to Election/Restriction' filed October 27, 2008. Applicant's election with traverse of Groups I and A is acknowledged. The traversal is persuasive. Claims 1-80 are now pending examination.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on December 5, 2003 is being considered by the examiner.

Claim Objections

2. Claims 11, 31, 51, and 71 are objected to because of the following informalities:

The dash (-) used to indicate a subtraction operation should be substituted with natural language since its not part of a numerical formula or operation and could be easily confused with a hyphen or a dash with no mathematical meaning.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 21-40 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to *computer readable mediums carrying one or more sequences of instructions* which according to the Applicant's specification can be signals. Signal claims and carrier wave claims are ineligible for patent

protection because they do not fall within any of the four statutory classes of § 101. The claims are therefore directed to non-statutory subject matter. To overcome this rejection, it is suggested the Applicant amend the claims to be directed to computer readable *storage* mediums having stored thereon one or more sequences of instructions.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-80 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 21, 41, and 61 contain limitations directed towards *promising said first order* however it is unclear how this step is done and what's involved in the promising step.

At least claims 5, 8, 11, 13, 16, 17, 18, 25, 28, 31, 33, 36, 37, 38, 45, 48, 51, 53, 56, 58, 65, 68, 71, 73, 77, and 78 contain limitations which are in parenthesis () and it is unclear why they are in parenthesis and whether they are intended to be part of the claims.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-4, 9-10, 12, 21-24, 29-30, 32, 41-44, 49-50, 52, 61-64, 69-70, and 72 rejected under 35 U.S.C. 102(b) as being anticipated by Greamo et al (US 2002/0095307)

9. As per claim 1, Greamo et al teach a method of processing orders related to a family of products in a supply chain management system (**see at least paragraph [0013]**), said family of products containing a plurality of member items, said method comprising:

receiving in a computer system a time fence (TF) duration associated with each of said plurality of member items in relation to a first member item, wherein said first member item is also contained in said plurality of member items, said TF duration representing an amount of advance time duration after which the supply of the corresponding member item is available to satisfy the demand for said first member item (**see at least paragraph [0031,0032, 0021, 0022, 0016]**);

receiving in said computer system a first order specifying a first quantity of said first member item and a first required date, wherein said first required date is after said TF duration from a time said first order is received, and wherein only Qavail units of said first member item are scheduled to be available as of said first required date, wherein Qavail is less than said first quantity (**see at least paragraphs [0013, 0043, 0021]**);

determining in said computer system whether at least said first quantity of all of said plurality of member items is scheduled to be available as of said first required date; and promising in said computer system said first order if said determining determines that at least said first quantity of all of said plurality of member items is scheduled to be available as of said first required date (**see at least paragraphs [0021, 0044-0046, 0041]**).

10. As per claim 2, Greamo et al teach wherein said TF duration is equal for all pairs of

member items contained in said plurality of member items, and wherein said TF duration equals aggregate TF (ATF) duration (**see at least paragraphs [0059, 0062, 0063, 0052]**).

11. As per claim 3, Greamo et al teach if said determining determines that at least said first quantity of all of said plurality of member items is not scheduled to be available as of said first required date, further comprising: computing an ATP date in which said first quantity of said first member item will be available based on availability of number of units of said member item available as of the end of said ATF duration and number of units of all of said plurality of member items after said ATF duration; and accepting said first order with a promise date equaling said ATP date (**see at least paragraphs [0054, 0059, 33-34, 47]**).

12. As per claim 4, Greamo et al teach wherein a user is provided an option to indicate whether said ATP date is acceptable, wherein said accepting is performed only if said user indicates that said ATP date is acceptable (**see at least paragraphs [0043-0044, 0050]**

13. As per claim 9, Greamo et al teach computing in said computer system a present family availability indicating an aggregate quantity of said plurality of member items available on said first required date; and allocating in said computer system a first portion from said present family availability and a second portion from quantity scheduled to be available for said first member item as of end of said ATF duration (**see at least paragraphs [0013, 0059, 0062, 0063]**).

14. As per claim 10, Greamo et al teach computing in said computer system a cumulative item availability for said first member item in each day in said ATF duration, and maintaining in said computer system said present family availability associated with each day after said ATF

duration, wherein said determining comprises examining said cumulative item availability and said present family availability such that said determining can be performed quickly(see at least paragraphs [0013, 0059, 0062, 0063]).

15. As per claim 12, Greamo et al teach receiving in said computer system a third order specifying a third quantity of said first member item and a third required date, wherein said third required date is within said ATF duration, wherein said third quantity is less than or equal to said cumulative item availability on said third required date; and promising in said computer system that said third order can be promised (see at least paragraphs [0067, 0013, 0059, 0062, 0063]).

16. Claims 21-24, 29-30, 32, 41-44, 49-50, 52, 61-64, 69-70, and 72 contains similar limitations as claims 1-4, 9-10, and 12 above and therefore are rejected under the same rationale.

Allowable Subject Matter

17. Claims 5-8, 11, 13-20, 25-28, 31, 33-40, 45-48, 51, 53-60, 65-68, 71, 73-80 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph and 35 U.S.C. 101, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon, which is considered pertinent to applicant's disclosure, are cited in the Notice of Reference Cited form (PTO-892).

Examiner's Note: The Examiner has cited specific citations in the reference(s) as applied to the claim(s) above for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the Applicant, in preparing their response, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
December 20, 2008
/Ramsey Refai/
Examiner, Art Unit 3627